

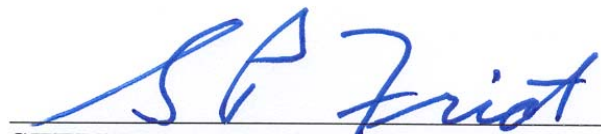
**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JESUS LUGO,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-05-1268-F
)	
JUSTIN JONES, Director,)	
)	
Respondent.)	

ORDER

The Report and Recommendation of Magistrate Judge Gary M. Purcell recommends that petitioner's motion for in forma pauperis status be denied because petitioner does not qualify, and that the filing fee should be paid or else this action should be dismissed. Petitioner has now paid the required filing fee, so the motion for leave to appear in forma pauperis is moot. Accordingly, the Report and Recommendation of the Magistrate Judge (doc. no. 5) is **ADOPTED, ACCEPTED,** and **AFFIRMED** in its entirety, and the motion for leave to proceed in forma pauperis (doc. no. 2) is **STRICKEN** as moot. This case is re-referred to Magistrate Judge Gary M. Purcell in accordance with the original Order of Referral.

Dated this 23rd day of November, 2005.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE